

COUNTY OF SAN DIEGO, CALIFORNIA
BOARD OF SUPERVISORS POLICY

Subject

Compensation for Right of Way Donated Under Assessment
District Procedures

**Policy
Number**

F-15

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Purpose

To define a policy which will provide an equitable means of acquiring rights of way necessary for special assessment district improvements.

Background

From time to time, there may be a formation of an assessment district for which property owners within the district dedicate rights of way. If this occurs, and if the assessment district charges each benefit unit equally regardless of such dedication, it could the effect of producing an imbalance in the participating costs that each property owner would bear. It is desirable to provide for assessment of the entire cost of private property required for project right of way and to achieve greater equity among the benefited properties by applying appropriate credits for the value of right of way cooperatively provided without direct cash payment.

Policy

It is the policy of the Board of Supervisors that the procedure for computing the cost of an improvement financed through an assessment district shall be as follows:

1. Construction costs, acquisition costs, other incidental costs, and the fair value of the property donated for right of way shall be totaled.
2. The total shall be spread among all parcels within the assessment district on the basis of benefit.
3. Property owners who donate right of way or other property shall be allowed a credit for the fair value of the property donated. The credit shall be subtracted from the cost proposed for assessment to that owner's property.
4. After the above steps have been taken, the total assessed to all parcels in the assessment district will equal the total of construction costs, acquisition costs, and other incidental costs actually paid out.

Sunset Date

This policy will be reviewed for continuance by 12-21-16.

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Board Action

5-26-69 (26)

11-10-69 (86)

3-1-88 (94)

6-15-93 (41)

5-15-96 (11)

06-18-03 (9)

02-24-10 (2)

Responsible Departments

1. Department of Public Works

2. Chief Financial Officer/Auditor and Controller